

**(FINAL APPROVED)**

**VIRGINIA BOARD OF PHARMACY  
MINUTES OF SPECIAL CONFERENCE COMMITTEE**

Tuesday, February 14, 2012  
Commonwealth Conference Center  
Second Floor  
Board Room 1

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive  
Henrico, Virginia 23233

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**CALL TO ORDER:** A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

**PRESIDING:** David C. Kozera, Committee Chair

**MEMBERS PRESENT:** Brandon K. Yi, Committee Member

**STAFF PRESENT:** Cathy M. Reiniers-Day, Deputy Executive Director  
Mykl D. Egan, DHP Adjudication Specialist

**JOSEPH A. OLEY**  
License No. 0202-012292

Joseph A. Oley appeared to discuss allegations that he may have violated portions of the laws and regulations governing the practice of pharmacy as stated in the January 4, 2012, Notice.

**Closed Meeting:** Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Joseph A. Oley. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**Reconvene:** Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

**Decision:** Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee adopts the Findings of Facts and Conclusions of Law and unanimously voted to issue Mr. Oley an Order with a reprimand. In addition, he is to complete a specific eight (8) hour course on medication errors.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Oley, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Oley within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

BRIAN L. BURNS  
Registration No. 0230-010692

Brian L. Burns appeared to discuss allegations that he may have violated portions of the laws and regulations governing the practice of pharmacy technicians as stated in the January 4, 2012, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Brian L. Burns. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee adopts the Findings of Facts and Conclusions of Law and unanimously voted to offer Mr. Burns a Consent Order to suspend his pharmacy technician registration.

FRANK A. ODEH  
License No. 0202-013020

Frank A. Odeh appeared with Kenneth D. McArthur and Buckley Warden, his attorneys, to discuss allegations that he may have violated portions of the laws and regulations governing the practice of pharmacy as stated in the November 3, 2011, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Frank A. Odeh. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee adopts the Findings of Facts and Conclusions of Law and unanimously voted to issue Mr. Odeh an Order with a reprimand for dispensing prescriptions not in accordance with the physician's instructions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Odeh, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Odeh within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

VINOD B. PATEL  
License No. 0202-207340

Vinod B. Patel appeared with Kenneth D. McArthur and Buckley Warden, his attorneys, to discuss allegations that he may have violated portions of the laws and regulations governing the practice of pharmacy as stated in the July 21, 2011, Notice.

Closed Meeting:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, for the purpose

of deliberation to reach a decision in the matter of Vinod B. Patel. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

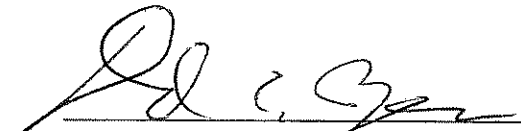
Decision:

Upon a motion by Mr. Yi, and duly seconded by Mr. Kozera, the Committee adopts the Findings of Facts and Conclusions of Law and unanimously voted to issue Mr. Patel an Order with a reprimand for dispensing prescriptions not in accordance with the physician's instructions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Patel, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Patel within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

With all business concluded, the meeting adjourned at 5:45 p.m.

  
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David C. Kozera, Chair

  
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Cathy M. Reiniers-Day  
Deputy Executive Director

3/13/12  
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Date